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**Ways & Means Committee**

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**HB 1506**

**Brief Description:** Providing benefits for the survivors of certain firefighters.

**Sponsors:** Representatives Conway, Bailey, Chase, Kirby, O'Brien, Kenney, Simpson, Carlyle, Hinkle, Goodman, Williams, Upthegrove, White and Kelley; by request of Select Committee on Pension Policy.

**Brief Summary of Bill**

- Removes the requirement that line-of-duty death and disability benefits paid to surviving spouses of members of the Firemen's Relief and Pension System (FRPS) cease upon the remarriage of the survivor.
- Provides an optional actuarially-equivalent joint and survivor benefit for members of FRPS with spouses that are ineligible for survivor benefits under the plan.

**Hearing Date:** 2/2/09

**Staff:** David Pringle (786-7310)

**Background:**

The Firemen's Relief and Pensions System – 1955 Act (FRPS) covered firefighters prior to the establishment of the statewide Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) in 1970. It is administered in part by firemen's pension boards in each fire protection district. It is commonly referred to as the Firemen's "prior act," and, unlike the LEOFF, the benefits are not supported by a state fund. Each municipality that has members of the FRPS instead has a separate pension fund that supports the benefits owed to members and beneficiaries from that municipality. These funds are supported by revenue from 25 percent of the 2 percent state tax on fire insurance policies and up to 45 cents per \$1,000 of assessed value from municipalities' property tax levies.

Members and the beneficiaries of members of FRPS who left service after 1970 are generally entitled to the better of the benefits that were offered either by the FRPS or the LEOFF Plan 1.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Members of FRPS who left service prior to the creation of the LEOFF Plan 1 in 1970 are entitled to benefits only from the FRPS.

The surviving spouses of members of the FRPS who were killed in the line of duty are entitled to a benefit equal to 50 percent of the deceased member's basic salary at the time of death. The benefit paid to the surviving spouse of a member who left service due to duty-related disability is equal to the monthly pension the member was receiving at the time of the member's death. The surviving spouse of a member who died as a result of a non duty-related disability is equal to one-third of the basic salary the member was receiving at the time of the member's death, plus additional amounts for dependent children.

**Summary of Bill:**

The line-of-duty death and disability benefits paid to surviving spouses do not cease upon the remarriage of the surviving spouse. An optional, actuarially-reduced survivor benefit is created for members of FRPS with spouses that are ineligible for survivor benefits under the plan. A member that chooses the optional survivor benefit will receive a reduced allowance until death and the commencement of survivor benefits, or the death of the designated spouse, whereupon the survivor benefit reduction is removed from the member's allowance.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.